

REMARKS/ARGUMENTS

Claims 1-11, 13, and 14 are pending in this application. By the amendment, Applicant amends Claims 1 and 8.

Claims 1, 5-10, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Francis et al. (U.S. 5,011,010) in view of Farag et al. (U.S. 6,844,872). Claims 2-4, 6, 11, and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Francis et al. in view of Farag et al., and further in view of Nakayama (U.S. 6,413,630). Applicant notes that it appears that the Examiner inadvertently included Claim 6 in the rejection over Francis et al. in view of Farag et al. because (1) Claim 6 is not specifically addressed in this rejection, and (2) Claim 6 is specifically addressed in the rejection over Francis et al. in view of Farag et al., and further in view of Nakayama.

Applicant respectfully traverses the rejections of Claims 1-11, 13, and 14.

Claim 1 has been amended to recite:

A card-like computer peripheral device, comprising:
a frame;
upper and lower covers disposed on upper and lower sides of the frame;
a circuit board disposed within the frame between the upper and lower covers;
an input/output connector provided at an end of the circuit board;
a sheet member including a draw-processed sheet member treated with coloring or marking; and
a transparent or translucent cover case; wherein
the sheet member includes an upper portion and three side portions;
each of the upper portion and the three side portions of the sheet member is connected to one another by rounded joint portions;
the sheet member is fitted into the cover case such that the sheet member extends in close contact with an inner surface of the cover case;
the sheet member is a three-dimensional member;
each of the three side portions extends substantially perpendicularly downward from the upper portion; and
the rounded joint portions connect the three side portions to the upper portion. (emphasis added)

Applicant's Claim 8 recites features that are similar to the features recited in Applicant's Claim 1, including the above-emphasized features.

The Examiner alleged that Francis et al. teaches all of the features recited in Applicant's Claims 1 and 8, except for the features of "the sheet member is a three-dimensional member; each of the three side portions extends substantially perpendicularly downward from the upper portion; and the rounded joint portions connect the three side portions to the upper portion." The Examiner further alleged, "Farag et al. discloses the sheet member (element 90 in figure 4) is a three-dimensional member; each of the three side portions (left or right portions and both sides of 90 in figure 4) extends substantially perpendicularly downward from the upper portion; and the rounded joint portions connect the three side portions to the upper portion (the rounded joint appears to connect the three sides to upper portion, see figure 4)."

Thus, the Examiner concluded, "it would have been obvious for one [of] ordinary skill in the art at the time of the invention to have provided the three dimensional member as taught by Farag et al. in the devices of Francis et al. for the benefit of keeping the member in place."

Applicant's Claim 1 has been amended to recite the features of "a frame," "upper and lower covers disposed on upper and lower sides of the frame," "a circuit board disposed within the frame between the upper and lower covers," and "an input/output connector provided at an end of the circuit board." Applicant's Claim 8 has been similarly amended. Support for these features is found, for example, in Fig. 1A and on page 5 of the originally filed application.

In the Response to Arguments on pages 8 and 9 of the outstanding Office Action, the Examiner stated that "the recitation of 'a card-like peripheral device' has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not

depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone.”

As noted above, Applicant’s Claims 1 and Claim 8 have been amended to specifically recite features of the card-like peripheral device in the body of the claims, which **must** be given patentable weight.

Francis et al. is directed to a compact disc container, and does not include any electronic components. Thus, Francis et al. certainly fails to teach or suggest the features of “a circuit board disposed within the frame between the upper and lower covers” and “an input/output connector provided at an end of the circuit board” as recited in Applicant’s Claim 1, and similarly in Applicant’s Claim 8.

Farag et al. was relied upon to allegedly teach a sheet member that is a three-dimensional member. However, Farag et al. certainly fails to teach or suggest the features of “a frame,” “upper and lower covers disposed on upper and lower sides of the frame,” “a circuit board disposed within the frame between the upper and lower covers,” and “an input/output connector provided at an end of the circuit board” as recited in Applicant’s Claim 1, and similarly in Applicant’s Claim 8.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Francis et al. in view of Farag et al.

The Examiner relied upon Nakayama to allegedly cure deficiencies of Francis et al. and Farag et al. However, Nakayama clearly fails to teach or suggest the features of “a frame,” “upper and lower covers disposed on upper and lower sides of the frame,” “a circuit board disposed within the frame between the upper and lower covers,” and “an input/output connector provided at an end of the circuit board” as recited in Applicant’s Claim 1, and similarly in Applicant’s Claim 8. Thus, Applicants respectfully submit that Nakayama fails to cure the deficiencies of Francis et al. and Farag et al. described above.

Accordingly, Applicants respectfully submit that Francis et al., Farag et al., and Nakayama, applied alone or in combination, fail to teach or suggest the unique

Serial No. 10/642,283
December 20, 2007
Reply to the Office Action dated September 21, 2007
Page 9 of 9

combination and arrangement of elements recited in Applicant's Claims 1 and 8.

In view of the foregoing amendments and remarks, Applicant respectfully submits that Claims 1 and 8 are allowable. Claims 2-7 and 9-11, 13, and 14 depend upon Claims 1 and 8, and are therefore allowable for at least the reasons that Claims 1 and 8 are allowable.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

Dated: December 20, 2007

/Christopher A. Bennett #46,710/
Attorneys for Applicant(s)

KEATING & BENNETT, LLP
8180 Greensboro Drive, Suite 850
Tyson's Corner, VA 22102
Telephone: (703) 637-1480
Facsimile: (703) 637-1499

Joseph R. Keating
Registration No. 37,368

Christopher A. Bennett
Registration No. 46,710